

MELINDA HAAG (CABN 132612)
United States Attorney

DAVID R. CALLAWAY (CABN 121782)
Chief, Criminal Division

ANDREW M. SCOBLE (CABN 124940)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7249
FAX: (415) 436-6753
Email: andrew.scoble@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA
v.
JAIME BALAM,
a/k/a "Tweety,"
Defendant.

) CASE NO. CR 12-0625 WHA
)
) STIPULATION AND [PROPOSED] ORDER
) EXCLUDING TIME FROM OTHERWISE
) APPLICABLE SPEEDY TRIAL ACT
) COMPUTATION
)
)
)
)

STIPULATION

IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

22 The period from March 3, 2015 through and including April 14, 2015 may be excluded from the
23 otherwise applicable Speedy Trial Act computation because failure to grant the continuance as requested
24 would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking
25 into account the exercise of due diligence, and because the case is factually complex, within the meaning
26 of 18 U.S.C. § 3161(h)(7)(A) & (B)(iv), (ii). Specifically, the parties represent that they request the
27 continuance and stipulate to its appropriateness for the following reasons. The defendant is charged in a
28 pending ten-count indictment, which includes, among others, charges of racketeering conspiracy and

1 murder in aid of racketeering activity; the defendant made initial appearance in this on February 23,
2 2015 and first appeared before this Court on March 3, 2015; these appearances followed a lengthy
3 extradition process in Mexico. The defendant is alleged to have been a member of a San Francisco-
4 based clique of the transnational gang, *La Mara Salvatrucha* (MS-13). He is charged with offenses
5 similar to those which resulted in multiple trials in *United States v. Ivan Cerna, et al.*, CR 08-0730
6 WHA. That case involved tens of thousands of pages of discovery, and the discovery process in the
7 instant case has just commenced. Accordingly, defense counsel in this case has voluminous discovery
8 to receive and assess before he can advise his client about the best course of action to pursue, including
9 pretrial motions.

10 DATED: March 5, 2015

Respectfully submitted,

11 MELINDA HAAG
12 United States Attorney

13 /s/

14 ANDREW M. SCOBLE
15 Assistant United States Attorney

16 /s/

17 DATED: March 5, 2015

18 RICHARD L. TAMOR
19 Attorney for Defendant Jaime Balam

PROPOSED ORDER

20 Based upon the above Stipulation, and upon the representations of the parties at the March 3,
21 2015 status hearing in this case, THE COURT FINDS THAT the ends of justice served by granting a
22 continuance from March 3, 2015 through and including April 14, 2015 outweigh the best interest of the
23 public and the defendant in a speedy trial; that failure to grant such a continuance would unreasonably
24 deny the defendant the reasonable time necessary for effective preparation, taking into account the
25 exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv); and that this case is
26 factually complex within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

27 Accordingly, THE COURT ORDERS THAT:

28 The period from March 3, 2015 through and including April 14, 2015 is excluded from the

1 otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv),
2 (ii).

3 IT IS SO ORDERED.

4

5 DATED: March 9, 2015.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28


WILLIAM H. ALSUP
United States District Judge